

NOV. 11. 2003 10:10AM
Law Offices

HOLLAND & KNIGHT

JC
JCWSCS 12 NOV 2003

HOLLAND & KNIGHT LLP

One Atlantic Center
1201 West Peachtree Street, N.E.
Suite 2000
Atlanta, Georgia 30309-3400

404-817-8500
FAX 404-861-0470
http://www.hklaw.com

Annapolis
Atlanta
Bethesda
Boston
Bradenton
Chicago
Fort Lauderdale
Jacksonville
Lakeland
Los Angeles
Miami
New York
Northern Virginia

NO. 7954
FILE COPY
Oakbrook
Orlando
Portland
Providence
San Antonio
San Francisco
Seattle
St. Petersburg
Tallahassee
Tampa
Washington, D.C.
West Palm Beach

International Offices:
Caracas*
Helsinki
Mexico City
Rio de Janeiro

Sao Paulo
Tel Aviv*
Tokyo
*Representative Offices

SENDER'S DIRECT FAX: (404) 541-4419

FACSIMILE

TO:

Filing Receipt Corrections	USPTO Office of Initial	
NAME	Patent Examination	(703) 746-9195
Washington	COMPANY/FIRM	FAX NUMBER
CITY	DC	(703) 308-0910
	STATE	(TELEPHONE NUMBER)

FROM: Susan Vincent for

Patrea L. Pabst	(404) 817-8596	7
NAME	TELEPHONE	TOTAL PAGES (Including Cover Sheet)

FOR THE RECORD:

DATE: November 11, 2003	URGENCY: <input type="checkbox"/> SUPER RUSH	<input type="checkbox"/> RUSH	<input type="checkbox"/> REGULAR
FAXED BY:	FILE #: 088938/00005	CLIENT NAME: CYPR 101	
CONFIRMED: <input type="checkbox"/> YES <input type="checkbox"/> NO	NAME:	TIME:	

If you did not receive all of
the pages or find that they
are illegible, please call
(404) 817-8500

CONFIDENTIALITY NOTICE: This facsimile, along with any documents, files, or attachments, may contain information that is confidential, privileged, or otherwise exempt from disclosure. If you are not the intended recipient or a person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, printing, distribution or use of any information contained in or attached to this facsimile is strictly prohibited. If you have received this facsimile in error, please immediately notify us by facsimile or by telephone collect at the numbers stated above, and destroy the original facsimile and its attachments without reading, printing, or saving in any manner. Your cooperation is appreciated. Thank you.

MESSAGE:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Srinivas G. Rao and Jay D. Kranzler

Serial No.: 10/628,141

Group Art Unit: 1614

Filed: July 24, 2003

Examiner: Not yet assigned

For: TREATMENT AND PREVENTION OF DEPRESSION
SECONDARY TO PAIN (DSP)

1333550_v1

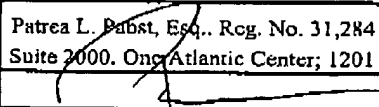
PTO/SB/21 (08-03)


Approved for use through 07/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/628,141
	Filing Date	July 24, 2003
	First Named Inventor	Srinivas G. Rao
	Art Unit	1614
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	CYPR 101

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD. Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request for Corrected Filing Receipt; copy of Filing Receipt with requested changes marked in red
Remarks _____ Certificate of Transmission is to: (703) 746-9195		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Patrea L. Pabst, Esq., Reg. No. 31,284 Holland & Knight LLP Suite 2000, One Atlantic Center, 1201 West Peachtree Street, N.E.; Atlanta, GA 30309-3400
Signature	
Date	November 11, 2003

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	Jean Hicks
Signature	
Date	November 11, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

088938/00005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Srinivas G. Rao and Jay D. Kranzler

Serial No.: 10/628,141

Group Art Unit: 1614

Filed: July 24, 2003

Examiner: Not yet assigned

For: *TREATMENT AND PREVENTION OF DEPRESSION
SECONDARY TO PAIN (DSP)*

VIA FACSIMILE – (703) 746-9195

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CORRECTED FILING RECEIPT

Sir:

Applicants respectfully request correction to the official Filing Receipt mailed October 27, 2003 To correct the following errors.

“Domestic Priority data as claimed by applicant” is incomplete. Below the two lines of text shown under this heading, please add: and claims the benefit of 60/443,035 filed 01/28/2003 and claims the benefit of 60/398,676 filed 07/24/2002.

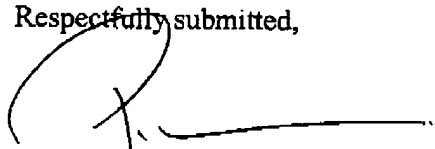
A copy of the Filing Receipt with this change noted thereon is enclosed. The Application Data Sheet as filed with this application on July 24, 2003 contains the omitted domestic priority data, therefore no Supplemental Application Data Sheet is enclosed.

CYPR 101
088938/00005

U.S.S.N: 10/628,141
Filed: July 24, 2003
Request for Corrected Filing Receipt

No fees are due in connection with this Request For Corrected Filing Receipt. However, should any fee be deemed due, the Commissioner is hereby authorized to charge such fee, or credit any overpayment in connection with this matter, to Deposit Account No. 50-1868. A duplicate of this transmittal is enclosed to facilitate this process.

Respectfully submitted,



Patrea L. Pabst
Reg. No. 31,284

Date: November 11 2003

HOLLAND & KNIGHT LLP
Suite 2000, One Atlantic Center
1201 West Peachtree Street, N.E.
Atlanta, Georgia 30309-3400
(404) 817-8473 (Telephone)
(404) 817-8588 (Fax)

CYPR 101
088938/00005

U.S.S.N: 10/628,141
Filed: July 24, 2003
Request for Corrected Filing Receipt

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8(b)

I hereby certify that this REQUEST FOR CORRECTED FILING RECEIPT, and any paper referred to as being attached or enclosed, are being transmitted by facsimile to the U.S. Patent and Trademark Office's Office of Initial Patent Examination's Filing Receipt Corrections at (703) 746-9195 on the date shown below.



Jean Hicks

Date: November 11, 2003

1333330_v1



UNITED STATES PATENT AND TRADEMARK OFFICE

OCT 28 2003

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1460
 Alexandria, Virginia 22313-1460
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART. UNIT	FIL FEE RECD	ATTY DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/628,141	07/24/2003	1614	440	CYPR 101	3	18	2

23579

PATREA L. PABST
 HOLLAND & KNIGHT LLP
 SUITE 2000, ONE ATLANTIC CENTER
 1201 WEST PEACHTREE STREET, N.E.
 ATLANTA, GA 30309-3400

CONFIRMATION NO. 5413

UPDATED FILING RECEIPT

OC000000Y1100908

Date Mailed: 10/27/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9495. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Srinivas G. Rao, San Diego, CA;
 Jay D. Kranzler, La Jolla, CA;

Assignment For Published Patent Application

Cypress Bioscience, Inc.;

Domestic Priority data as claimed by applicant

This application is a CIP of 10/028,547 12/19/2001 PAT. 6,602,911
 which is a CIP of 10/014,149 11/05/2001 PAT. 6,635,675
 and claims the benefit of 60/443,035 01/28/2003
 and claims the benefit of 60/398,676 07/24/2002

Foreign Applications

If Required, Foreign Filing License Granted: 10/24/2003

Projected Publication Date: 02/05/2004

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Docketed for

By: JDS

Date: 10-30-03

COPY

Title

Treatment and prevention of depression secondary to pain (DSP)

Preliminary Class

514

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15****GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries; of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

COPY